

STILL TRYING TO SECURE A JURY

Week Ends With Only Ten Sworn for Trial of Sullivan.

BAILEY CAUSES A STIR SUGGESTS JUROR TALKED WITH A DEPUTY SHERIFF.

Hyrum H. Evans, 47, West Fifth South street, contractor, Joshua Hill, sandy, shoemaker, Thomas Lowry, Ninth South and Fifteenth West streets, carpenter, Charles Denney, printer, Union Hyrum Street, bricklayer, Murray Samuel Oldham, 466 F street, employed at car barns of Utah Light & Railway company, Thomas Alston, 309 East First South street, bookkeeper Utah Light & Railway company, and formerly county recorder, Robert Hazen, Jr., 97 West Fourth North street, traveling representative McDonald Candy company, H. H. Urry, Mill Creek, car inspector, Salt Lake Route, William A. Boggess, Sr., farmer, Union.

The first week of the trial of Joseph Sullivan for the murder of Patrolman Ford ended yesterday and up to date but ten of the twelve jurors needed have been chosen. The last man selected was William A. Boggess, Sr., a farmer who resides at Union.

Judge Armstrong yesterday noon ordered another panel of forty jurors drawn and half of this number were served before the afternoon session. Those present were examined as to their qualifications as jurors by District Attorney Loofbourou, and all accepted as talemen.

It is hoped by both the defense and the state that a jury will be secured by Monday evening and that the introduction of evidence can be begun Tuesday. J. H. Bailey, Jr., one of Sullivan's attorneys, yesterday created considerable of a sensation by asking leave of the court to question one of the jurors already selected, Thomas Alston, former county recorder and now employed by the Utah Light & Railway company.

Judge Armstrong granted the request and Bailey asked Alston if he had been talked to concerning the case by any of the deputy sheriffs in charge of the jury. Mr. Alston denied this most emphatically, and Bailey's efforts to dislodge him from the jury proved of no avail. On Friday the attorney asked the court to allow him to excuse one of the jurors already accepted on a peremptory challenge, but he was denied the privilege by Judge Armstrong. At that time the name of the juror was not given, but from the developments yesterday it appears that it must have been Alston.

The jury is in charge of Deputy Sheriffs Butler and Peterson. The following jurors were yesterday excused by the court on a challenge by the defense on the grounds that they had formed opinions: John E. Bailey, C. H. Reagan, P. J. Nelson, William Lewis, George D. Alder, A. H. Parsons, William Fairbourn and George T. Odell.

The state secured the removal of Jabez White, Jr., and the defense exercised its ninth and tenth peremptory challenges on J. H. Preece, former counselman from the Second ward, and William Costner. The defense has used to date ten of its fifteen peremptory challenges and the state only two of its fifteen.

SCARLET FEVER UNABATED.

Eighteen Cases Reported for Week Just Closed.

That the department of health has not as yet been able to prevent the spread of scarlet fever which has been sweeping the city for the past four months is evident from the weekly report issued yesterday. This report shows that 15 cases of the malady were reported last week, and that 28 homes were in quarantine at the end of the week. In addition one case of diphtheria, five cases of measles, three cases of whooping cough, one case of chicken pox and one case of mumps were reported. A total of 29 cases of contagious and infectious diseases.

There were fifty births reported, 27 males and 23 females. There were 22 deaths, 14 males and 8 females. Eight bodies were shipped here for burial.

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The remedy is yours for the asking. Dyspepsia, heart trouble, indigestion, loss of appetite, nervousness, and all the ailments that attend a weak and inefficient system, are cured by the use of Stuart's Dyspepsia Tablets. They are the only remedy that will cure you of these ailments. They are the only remedy that will cure you of these ailments. They are the only remedy that will cure you of these ailments.

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Deprive the stomach of their assistance and your gastric juice becomes weak, you cannot enjoy your food, you have trouble in your stomach after eating, you become moody, indolent, dispirited. Remedy these defects by using Stuart's Dyspepsia Tablets. They are the only remedy that will cure you of these ailments. They are the only remedy that will cure you of these ailments.

Stuart's Dyspepsia Tablets at every drug store.

FLEES LEN BINGHAM BRANCH

Another Chapter of Famous Suit of Raphael Against Rio Grande.

Another chapter was added to the famous suit of Russell Sage Raphael to secure control of the Bingham branch of the Rio Grande Western railway yesterday, when a lien on the road was filed in the county recorder's office by Julius Seigelman of New York to the amount of \$270,000.

Raphael's father owned \$1,000,000 worth of bonds in the old Wasatch & Jordan Valley Railway company, which is now the Bingham branch of the Rio Grande and one of the richest short lines in the world. Some two years ago the son brought suit to recover the value of the bonds in the federal court for the southern district of New York, and secured a judgment against the old company for their value. The judgment was entered by default about a year ago Joseph Martin, attorney for Raphael, came to Salt Lake and attempted to have an order of sale made by the local district court. This was done by Judge Morse, who the same day rescinded the order because he had made it under a misapprehension of the facts. Martin remained here some time and finally was brought up before Judge Morse for contempt in persisting in the road for sale under the order. Martin was, however, released on the promise to be good, and it was thought that the matter had been settled.

Martin, however, about six weeks ago returned to New York and on Feb. 8, as it appears from papers filed yesterday, had some kind of an auction sale in New York and sold the road for \$1,200,000. He claimed 25 per cent of this amount for his attorney's fees and assigned his claim to Seigelman, who claims a lien on the road for that amount.

Waldemar Van Cott, chief counsel for the Rio Grande Western, when seen yesterday, had not taken the time to read the Bingham branch at the auction in New York. "There was no authority for selling the road," he declared, "and the alleged auction was only a fraud. I have not even heard of the matter before, but I know only enough concerning the case to be able to say that the Rio Grande will still retain absolute control of the Bingham line notwithstanding Mr. Martin's efforts. His sale was what we would call a fraud on the court. He was stopped here from doing the same thing and he then went back to New York and outside the jurisdiction of the local courts and sold the road. It is nothing but a farce and they can never hope to gain anything by such tactics."

FAIR SUNDAY PREDICTED

Rain or Snow Fails to Arrive Saturday, According to Schedule—Hot in Yuma.

The weather went contrary to the indications of what it would be the day before. The promise had been for local rain or snow and colder, but none of these turned up. Instead, the temperature held its own, the high mark of 62 being maintained, and the minimum going up several degrees. Yesterday's maximum, as the preceding day, was 62, and the minimum was 47. This now makes the mean temperature since the first of the month in excess of normal of five degrees.

Unquestionably there were more people out in the sunshine yesterday than on any day of the season. The streets can, with truth, be said to have been crowded at times during the afternoon. There is no indication that he temperature will take the downward track, for the maximum was noted as late as 6 o'clock last night, and the indications for today are that the weather will be fair.

An unfolding sign of spring, it is said, is the croak of the frog, and the frog's croak can be heard in many of the roundabout lowlands. The robin is beginning to plume his feathers, which is another sign that spring is upon the land. According to the calendar, the spring season does not begin until March 21, but, then, calendars, like programs, are subject to change. If the weather holds fair today, as they say it will, there will be a reminder of the good old summer time in the crowds and a lightness in the costumes not heretofore generally apparent.

Enjoying the blessings that Salt Lake does in the way of weather, the people here can extend a sympathetic hand to the inhabitants of such benighted regions as Manitoba. Yesterday's low record at Winnipeg was 20 below. At Swift Current it was 40 below, and at Calgary it was 2. There was only a slight change in the temperatures throughout the country. There were storms in Oregon, Montana, North Dakota, Minnesota, the Ohio valley, with rain at Portland and Helena and snow at Duluth and Sault Ste. Marie.

Yuma was again in the limelight yesterday as the hottest place on the map. And it was hot. The maximum there was 92 degrees, while at Phoenix it was 82. There were any number of places where the record showed maximum temperatures in the 70s. The local report for the day is:

Temperature at 8 p. m., 62 degrees; maximum 62; minimum 47; mean, 54, which is 13 degrees above normal; total excess of temperature since the first of the month, 5 degrees; accumulated excess of temperature since Jan. 1, 159 degrees. Total precipitation, none. Total precipitation since the first of the month, 1.40 inch, which is 53 inch above normal; accumulated deficiency since Jan. 1, 29 inch; relative humidity at 8 p. m., 25 per cent.

DISTRICT COURT NOTES.

Ed Walsh claims that the Utah Construction company owes him \$3,363.53, and yesterday brought suit for that amount in the district court. Walsh says that between July 13 and November 30, 1907, he performed certain work for the defendant concern along the line of the Western Pacific, the agreed price of which was \$10,363.53, and that only \$7,000 of this amount has been paid.

Jessie Forbes McCullough was yesterday granted a divorce from Charles E. McCullough by Judge Charles W. Morse. They were married July 23, 1900, and have a child two and a half years old. The wife asserted that for the past eighteen months her husband has neglected to provide for her, although he earned \$150 a month. Besides a divorce, Mrs. McCullough was granted the custody of the child.

Judge Lewis yesterday entered judgment in favor of John Burns and against the Siskiyou Gold & Copper Mining company for \$25,000. The judgment was in lieu of 125,000 shares of stock in the company due Burns for

YOUNG MAN—Let's Get Together

On this marriage question. You have been putting it off because you thought you could not furnish a home for her—that's just where we want to help you. Let the "Big Store" give you a start. We will furnish three rooms complete, ready to commence housekeeping, with a good grade of durable furniture for \$98.50. We give you all the time you want to pay for it and you are protected by our big-hearted policy which cares for you under all conditions. If sickness comes to you our collector passes you by, and if the breadwinner of the home meets with death, we give his widow a receipt in full. It ought to be a pleasure for you to deal with a firm who indorses such fine business sentiments.

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- 1 Beautiful Golden Oak Sideboard, with French plate mirror.
- 1 Set Golden Oak dining chairs.
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- 1 Set Table Leaves.
- 1 Large Room Rug.

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- 1 Large Nickel trimmed Cook Stove; has regular range firebox.
- 1 Large Kitchen Table with drawer.
- 2 Kitchen Chairs.
- Linoleum for the floor.

BEDROOM

- 1 Full size brass trimmed Iron Bed.
- 1 Spring.
- 1 Large Dresser, with fine bevel plate mirror, three roomy drawers and finished in beautiful Golden Oak.
- 1 Golden Oak Bedroom Rocker.
- 1 Bedroom Chair.
- 1 Room Rug.

\$7.50--ON SALE-- \$4.00

THE LATEST IMPROVED SANITARY STEEL COUCH makes full size, half or single bed—when not in use as bed can be used as a couch. Has the new steel slat construction top, which prevents bedding being torn. We still have a few of these left to close at the above price.



\$7.50, on sale \$4

It's the constant dropping of the water that wears away the stone.

It's the little monthly payments that add comfort to the home.



In the arrangement of this 3-room outfit, if you desire any article changed from the regular list, or any new piece added we will gladly do so.

property which he transferred to it. The property is in the Big Cottonwood district.

Alleging that his wife, Florence Tingley, deserted him, Jan. 20, 1907, and has refused to come back to him, C. B. Tingley yesterday brought suit for divorce in the district court. They were married May 30, 1905, and have one child, a boy of twelve. The father asks for the care and custody of the youngest, besides the divorce.

Josiah Barnett and W. S. McCormick yesterday brought suit in the district court to foreclose a trust deed given by A. E. Hyde and Jesse W. Fox as security for a promissory note for \$3,000.

REAL ESTATE TRANSFERS.

John Henry Smith to Susan E. V. Smith, part of lot 3, block 36, plat A. Susan E. V. Smith to Silver Bros. Iron Works, part of lot 1, block 38, plat A. Richard Turner to Edwin B. Scott, lots 8 and 9, block 5, South Columbia subdivision. H. B. Scott to Harriet Levy et al, lots 16, etc., block 2, South Lawn addition. Lottie L. Lott to Henry H. Woodring, lots 43, etc., block 2, Hunter subdivision. Edward A. Robb to Henry Roberts to M. W. Snow, lot 3, block 2, plat A. W. W. Snow to M. A. Clay to Ann E. Clay, lots 10, etc., block 2, Steele subdivision.

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still has 30,000 acres of cultivated land and a number of stock ranches which we are selling to desirable citizens on easy terms. An equable climate, ready market at producers' door, growing modern town, excellent schools, and churches, a clean, high-class community of 5,000 souls—all go to make life pleasant and profitable. Wheat averages thirty-five bushels, oats fifty bushels, alfalfa two cuttings, 3 1/2 to 4 tons, free timber to settlers, water rights with deed, coal \$2 per ton, vast open grazing range, good horse and cattle country. Let me tell you, personally, more of the last of the Fertile Low-Priced Lands in America.

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